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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

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16 UNITED STATES OF AMERICA,) CR No. 09-70014 EDL
17 Plaintiff,)
18 v.) STIPULATION AND [PROPOSED] ORDER
19 MATTHEW ROBINSON,) EXCLUDING TIME UNDER FED. R. CRIM.
20 Defendant.) P. 5.1 and 18 U.S.C. § 3161 AND CHANGING
ARRAIGNMENT DATE

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22 On March 20, 2009, the parties requested, and the Court agreed, to set April 12, 2009 as
23 the date for the defendant's preliminary hearing or arraignment. The parties now request that the
24 Court schedule the defendant's preliminary hearing or arraignment for April 27, 2009 at 9:30
25 a.m. The parties also request that pursuant to Federal Rule of Criminal Procedure ("FRCP")
26 5.1(d), the time limits set forth in FRCP 5.1(c) be extended through April 27, 2009. The parties
27 agree that, taking into account the public interest in prompt disposition of criminal cases, good
28 cause exists for this extension.

STIP. & [PROPOSED] ORDER EXCL. TIME
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The defendant also agrees to exclude for this period of time any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the continuance was the reasonable time necessary for continuity of defense counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: April 9, 2009

/s/

DATED: April 9, 2009

/s/

15 For the reasons stated above, the Court schedules the defendant's preliminary hearing or
16 arraignment for April 27, 2009 at 9:30 a.m., and finds that the extension of time for the
17 defendant's preliminary hearing or arraignment through April 27, 2009 is warranted and that the
18 ends of justice served by the continuance outweigh the best interests of the public and the
19 defendant in a speedy trial. 18 U.S.C. §3161 (h)(8)(A); FRCP 5.1(d). The failure to grant the
20 requested continuance would deny the defendant effective preparation of counsel, and would
21 result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: April 13, 2009

Bernard Zimmerman
THE HONORABLE BERNARD ZIMMERMAN
United States Magistrate Judge